

UNITED STATES DISTRICT COURT

for the

Southern District of Ohio

United States of America
v.
Jose Gregorio Barron-Lascano

Case No. 2:23-mj-27

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of January 13, 2023 in the county of Delaware in the
Southern District of Ohio, the defendant(s) violated:

Code Section

8 U.S.C. § 1326(b)(2)

Offense Description

Being an alien, that is, a citizen of Mexico who was ordered deported and removed on or about October 22, 2018, following a federal conviction for violating 21 U.S.C. § 846, Conspiracy to Possess with Intent to Distribute Heroin, an Aggravated Felony, in the United States District Court for the Southern District of Ohio, was found on January 13, 2023, in Delaware County, Ohio, without, prior to his re-entry and at a place outside the United States, obtaining the consent of the Attorney General or the Secretary of the Department of Homeland Security to re-apply for admission to the United States.

This criminal complaint is based on these facts:

See attached affidavit, which is fully incorporated herein.

☒ Continued on the attached sheet.

Scott Yarman

Complainant's signature

Scott Yarman, ICE Deportation Officer

Printed name and title

Sworn to before me and signed in my presence.

January 17, 2023

Date: _____

City and state: Columbus, Ohio

Kimberly A. Johnson

Kimberly A. Johnson
United States Magistrate Judge



**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

**IN THE MATTER OF THE CRIMINAL
COMPLAINT OF:**

Jose Gregorio Barron-Lascano

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Case No. 2:23-mj-27

**AFFIDAVIT IN
SUPPORT OF CRIMINAL COMPLAINT**

I, United States Immigration and Customs Enforcement (ICE) Deportation Officer Scott A. Yarman, being first duly sworn, depose and state as follows:

1. I am a Deportation Officer with more than eleven (11) years of experience as a Deportation Officer with the United States Immigration and Customs Enforcement (ICE), Border Patrol Agent with the U.S. Border Patrol, and a Police Officer with the Utica Police Department. I am assigned to the Columbus, Ohio Office of Enforcement and Removals-Field Operations. I have investigated both criminal and administrative matters involving aliens in the United States. I have a bachelor's degree in Criminal Justice. I have successfully completed the U.S. Border Patrol Agent Academy at the Federal Law Enforcement Training Center (FLETC) at Artesia, NM.

My investigation has revealed the following facts:

2. On or about August 16, 2012, Jose Gregorio Barron-Lascano, a citizen of Mexico, was encountered near Falfurrias, Texas and subject to an Expedited Removal. Jose Gregorio Barron-Lascano was ordered removed from the United States by a Designated Official on August 16, 2012. Jose Gregorio Barron-Lascano was physically removed from the United States on or about August 19, 2012, at the Otay Mesa, CA Port of Entry. On that day, Jose Gregorio Barron-Lascano surrendered his fingerprint and photo for the immigration form I-294 (Warning to Alien Ordered Removed or Deported) of which he signed. Jose Gregorio Barron-Lascano's departure was witnessed and signed by an Immigration Officer.
3. On or about March 15, 2016, an Immigration Officer encountered Jose Gregorio Barron-Lascano at the Moshannon Valley Correctional Center in Philipsburg, PA. Jose Gregorio Barron-Lascano was, on December 11, 2015, convicted in United States District Court, Southern District of Ohio, Case Number CR2-15-145 for the offense of, Count 1, Conspiracy to Possess with Intent to Distribute Heroin, in violation of Title 21, United States Code, Sections 846, 841(a)(1), and 841(b)(1)(C), for which a sentence of 48 months of incarceration was imposed.

3. On or about August 8, 2018, Jose Gregorio Barron-Lascano while still at the Moshannon Valley Correctional Center in Philipsburg, PA, had the prior order of removal reinstated. Jose Gregorio Barron-Lascano was physically removed from the United States on or about October 22, 2018, at the Harrisburg, PA Port of Entry. On that day, Jose Gregorio Barron-Lascano surrendered his fingerprint and photo for the immigration form I-294 (Warning to Alien Ordered Removed or Deported) of which he signed. Jose Gregorio Barron-Lascano's departure was witnessed and signed by an Immigration Officer.
4. On January 13, 2023, Jose Gregorio Barron-Lascano was encountered by ICE officers in Delaware County, Ohio. It was determined after a verification of records and fingerprints that Jose Gregorio Barron-Lascano had previously been ordered removed from the United States and that he is subject to prosecution for illegal re-entry, having been found in the United States after being barred for life from re-entry following his most recent removal in 2018.
8. Your affiant uses the above facts to establish probable cause that Jose Gregorio Barron-Lascano is an alien, was found in the Southern District of Ohio, after having been removed from the United States on or about the above dates, at or near the above locations, and not having obtained the express consent of the Attorney General or the Secretary of Homeland Security to reapply for admission to the United States, in violation of Title 8, United States Code, Section 1326(b)(2).

Scott Yarman

Scott Yarman
Deportation Officer
Immigration and Customs Enforcement

January 17, 2023

Sworn before me and subscribed in my presence on this ____ day of _____, 2023.

Kimberly A. Johnson

Kimberly A. Johnson
United States Magistrate Judge

